

**United States District Court**  
SOUTHERN DISTRICT OF CALIFORNIA

Kevin Gagnepain

Plaintiff,

No. 09cv2488 JLS (JMA)**FILED**

V.

Guitar Center, Inc., National Association of  
Music Merchants, Inc.

Defendant

**REPORT OF CLERK AND ORDER OF  
TRANSFER PURSUANT TO  
"LOW-NUMBER" RULE.**

09 DEC 17 AM 9:34

CLERK, U.S. DISTRICT COURT,  
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

**REPORT OF CLERK PURSUANT TO LOW NUMBER RULE**Re: "Low Numbered" Case No. 09cv2002 LAB (POR)Title: Giambusso v. National AssociationNature of Case: Anti-trust

The above "low numbered" case and the present case appear

- x (1) to arise from the same or substantially identical transactions, happenings or events; or
- x (2) involve the same or substantially the same parties or property; or
- \_\_\_\_\_ (3) involve the same patent or trademark or different patents or trademarks covering the same or substantially identical things; or
- x (4) call for determination of the same or substantially identical questions of law; or
- \_\_\_\_\_ (5) where a case is refiled within one year of having previously been terminated by the Court; or
- x (6) for other reasons would entail unnecessary duplication of labor if heard by different judges.

New Case #: 09cv2488 LAB (POR)

This case was transferred pursuant to the Low Number Rule. The related cases have been assigned to the same judge and magistrate judge but they are NOT CONSOLIDATED at this point; all pleadings must still be filed separately in each case.

W. Samuel Hamrick, Jr., Clerk of Court,

DATED: December 11, 2009

By: s/M. Zvers

(By) Deputy, M. Zvers

**ORDER OF TRANSFER PURSUANT TO "LOW NUMBER" RULE**

I hereby consent to transfer of the above-entitled case to my calendar pursuant to Local Rule 40.1, Transfer of Civil Cases under the "Low Number" Rule.

DATED: 12-11-09

Larry A Burns

United States District Judge

It appearing that the above-entitled case is properly transferable in accordance with the provisions of the "Low Number" Rule, IT IS HEREBY ORDERED that this case is transferred to the calendar of Judge Larry A Burns and Magistrate Judge Louisa S. Porter for all further proceedings.

DATED: 12/16/09

Janis L. Sammartino

United States District Judge